

District Judge Kymberly K. Evanson

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KHADRA XIRSI, *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
STATE, *et al.*,

Defendants.

No. 2:23-cv-699-KKE

STIPULATED MOTION FOR ENTRY
OF ORDER ESTABLISHING BRIEFING
SCHEDULE AND ORDER

STIPULATION

The parties hereby stipulate to, and move for entry of, an order establishing a briefing schedule for cross-motions for summary judgment. Plaintiff brings this litigation pursuant to the Mandamus Act seeking, *inter alia*, to compel the U.S. State Department to adjudicate Plaintiff Siyad's request for an immigrant visa. This Court previously ordered this case to be held in abeyance based on the parties' representation that the case may resolve without further litigation. Dkt. No. 10.

However, Plaintiff's visa application remains refused under 8 U.S.C. 1201(g), for required security screening. Processing remains active and ongoing, and agency counsel is involved and monitoring the case. The consular officer determined that additional information from sources other than the applicant may help establish the applicant's eligibility for the visa. When processing is complete, the consular officer at the U.S. Embassy in Nairobi will determine the next steps

required, which may include reaching out to the applicant to request additional information, or possibly re-adjudicating the visa application. As there is no definitive date as to when this processing will end, the parties request that the Court enter the following summary judgment briefing schedule:

<u>Action</u>	<u>Deadline</u>
Answer to Complaint	February 6, 2024
Defendants Motion for Summary Judgment	February 29, 2024
Plaintiff's Opposition to Defendants' Motion and Cross-Motion for Summary Judgment	March 29, 2024
Defendants' Opposition to Plaintiff's Cross-Motion and Reply in support of Defendants' Motion	April 12, 2024
Plaintiff's Reply in support of Cross-Motion for Summary Judgment	April 26, 2024

The parties will notify the Court if the processing of Plaintiff's visa finishes and readjudication occurs.

Dated: January 29, 2024

Respectfully submitted,

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***I certify that this memorandum contains
260 words, in compliance with the Local
Civil Rules.***

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ORDER

The parties' stipulated motion for entry of a briefing schedule (Dkt. No. 12) is GRANTED. This case is no longer held in abeyance, and the parties shall file their cross-motions for summary judgment according to the following schedule:

<u>Action</u>	<u>Deadline</u>
Answer to Complaint	February 6, 2024
Defendants' Motion for Summary Judgment	February 29, 2024
Plaintiffs' Opposition to Defendants' Motion and Cross-Motion for Summary Judgment	March 29, 2024
Defendants' Opposition to Plaintiffs' Cross-Motion and Reply in support of Defendants' Motion	April 12, 2024
Plaintiffs' Reply in support of Cross-Motion for Summary Judgment	April 26, 2024

It is so **ORDERED**.

DATED this 29th day of January, 2024.



Kymberly K. Evanson
United States District Judge

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